

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:11CR330 JCH NAB
	)	
RICHARD JOHNSON,	)	
	)	
Defendant.	)	

**ORDER AND SPEEDY TRIAL FINDING**

This matter is before the Court on Defendant's Motion to Continue the Motion Hearing [\[Doc. #50\]](#) filed on August 29, 2011. In support of the Motion Defendant stated

1. That co-defendant Kendra Flymn has moved to continue the aforementioned evidentiary hearing, because of the unavailability of her counsel.
2. That the facts regarding the motions filed on behalf of each defendant are similar in nature, and therefore to avoid redundancy and to efficiently utilize the resources of the Court, counsel hereby request that this cause be continued.
3. That Counsel has personally conferred with co-defendant's counsel Kevin Curran who consents to the motion.
4. That Counsel has personally conferred with AUSA Davis who has no objection.
5. That the motion is in the interest of justice and would not unduly delay the disposition of this case.

Defendant requested that the pretrial motion hearing previously set for September 9, 2011 be continued.

**IT IS HEREBY ORDERED** that Defendant's Motion to Continue the Motion Hearing [\[Doc. #50\]](#) is **GRANTED**. The motion hearing set for **September 9, 2011** shall be continued until **September 14, 2011 at 9:00 a.m.**

**Speedy Trial Finding:** For the reasons set out in Defendant's motion, the Court finds that to deny Defendant's request for such additional time would deny counsel for Defendant the reasonable time necessary for effective investigation and preparation of pretrial motions, taking into account the exercise of due diligence, and that the ends of justice served by granting Defendant's request for additional time outweigh the best interest of the public and Defendant in a speedy trial, and therefore, the time granted to Defendant to investigate and properly prepare pretrial motions, or a waiver thereof, is excluded from computation of Defendant's right to a speedy trial pursuant to 18 U.S.C. §§ 3161(c)(1) and 3161(h)(7).

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/s/ Nannette A. Baker  
NANNETTE A. BAKER  
UNITED STATES MAGISTRATE JUDGE

Dated this 7<sup>th</sup> day of September, 2011.